

## UNITED STATES DISTRICT COURT

for the

Southern District of New York



LIBERTARIAN PARTY OF NEW YORK, ANTHONY  
D'ORAZIO, LARRY SHARPE, GREEN PARTY OF  
NEW YORK, GLORIA MATTERA and  
PETER LaVENIA

*Plaintiff(s)*

v.

Civil Action No. 20-cv-5820

NEW YORK STATE BOARD OF ELECTIONS, et al.

[SEE APPENDIX FOR COMPLETE LIST OF  
DEFENDANTS]

*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

NEW YORK STATE BOARD OF ELECTIONS  
40 North Pearl St., Suite 5  
Albany, New York 12207

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

MICHAEL KUZMA  
Attorney for the Plaintiffs  
1893 Clinton Street  
Buffalo, New York 14206  
(716) 822-7645 Kuzma\_Michael@hotmail.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 07/30/2020

*/s/ D. Howie*

Signature of Clerk or Deputy Clerk



APPENDIX TO SUMMONS

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LIBERTARIAN PARTY OF NEW YORK,  
ANTHONY D’ORAZIO,  
LARRY SHARPE,  
GREEN PARTY OF NEW YORK,  
GLORIA MATTERA,  
PETER LaVENIA,

*Plaintiffs,*

**COMPLAINT**

v.

NEW YORK STATE BOARD OF ELECTIONS,  
PETER S. KOSINSKI, as the Co-Chair of the New York State  
Board of Elections; DOUGLAS A. KELLNER, as the Co-Chair of  
the New York State Board of Elections; ANDREW J. SPANO, as a  
Commissioner of the New York State Board of Elections;  
TODD D. VALENTINE, as Co-Executive Director of the New York  
State Board of Elections; and ROBERT A. BREHM, as Co-Executive  
Director of the New York State Board of Elections,

*Defendants.*

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: